

AMENDED

Nº 33230

**APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office..... AUG 19 1977

Returned to applicant for correction.....

Corrected application filed..... OCT 13 1977

Map filed..... OCT 12 1977 under 33228

The applicant..... Robert E. & Shirley S. Duval

Fish Lake Valley....., of..... Via Tonopah.....  
Street and No. or P.O. Box No. City or Town

Nev. 89049....., hereby make.... application for permission to appropriate the public  
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is..... Chiatovich Creek.....  
Name of stream, lake or other source.

2. The amount of water applied for is..... 6 cfs..... second-feet  
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet..... acre-feet

3. The water to be used for..... irrigation.....  
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated)..... irrigation - 120 ac.

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: NW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 29, T.1S.,

R.35E., MDB&M, or at a point from which the NE cor. of said Sec. 29

Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

bears N. 39° 31' 50" E., 3522.47 ft.

it should be stated.

6. Place of use. SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 29, SW $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 28, T.1S., R.35E.,

Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about..... Oct. 16..... and end about..... Feb. 28th....., of each year.  
Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Rock fill dam, less than 10 ft.

high, concrete & timber gates - irrigation by contour flooding

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$4000
10. Estimated time required to construct works.....3 yrs.
11. Estimated time required to complete the application to beneficial use.....5 yrs.
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Plans for dam & irrigation to be done by U.S. Conservation District - Esmeralda Co.

Applicant, Robert E. & Shirley S. Duval  
Pro. 5/5/78 by Arlemont Ranch

By s/ J.V. Caselli, Agent  
P.O. Box 201  
Goldfield, Nev. 89013

Compared lp/ga gk/js

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby <sup>deny</sup>~~grant~~ the same, subject to the following limitations and conditions:

on the grounds that there is no water available for irrigation appropriations in Chiatovich Creek, and their granting would therefore interfere with existing water rights and be detrimental to the public interest.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second

Actual construction work shall begin on or before.....

Proof of commencement of work shall be filed before.....

Work must be prosecuted with reasonable diligence and be completed on or before.....


Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....  
Completion of work filed.....  
Proof of beneficial use filed.....  
Cultural map filed.....  
Certificate No.....Issued.....  
Recorded.....Bk.....Page.....  
County Recorder

IN TESTIMONY WHEREOF, I, PETER G. MORROS  
State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 3rd day of FEBRUARY  
A.D. 1982  
  
State Engineer